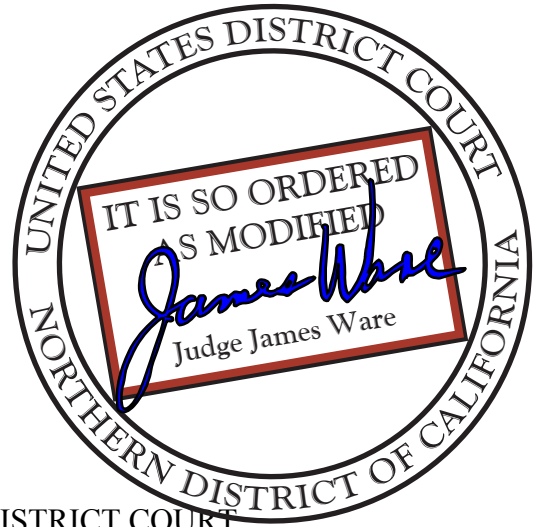


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SIGMA SIX TECHNOLOGIES, INC., a
New York corporation and SIGMA SIX
CONSULTING, LLC, a New York limited
liability company,

Plaintiffs,

v.

NAGARRO, INC., a New Jersey
corporation, T-SYSTEMS ENTERPRISE
SERVICES GmbH, a German business
entity, and DOES 1-10.

Defendants.

CASE NO. C08-05633 JW (PVT)

**AMENDED STIPULATION TO MODIFY
SCHEDULING ORDER; [PROPOSED]
ORDER**

Judge: The Honorable James Ware

IT IS HEREBY STIPULATED, by and between Plaintiffs SIGMA SIX
TECHNOLOGIES, INC. ("SST") and SIGMA SIX CONSULTING, LLC ("SSC") (collectively,
"Plaintiffs") and Defendants NAGARRO, INC. ("Nagarro") and T-SYSTEMS ENTERPRISE
SERVICES GmbH ("T-Systems"), through their respective counsel of record, and pursuant to
Civil Local Rule 6-2, that the dates set forth in the Scheduling Order filed July 9, 2009 (Docket
No. 55) be modified as follows:

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Close of All Discovery	July 22, 2010
Last Date for Hearing Dispositive Motions (Sixty days after the close of all discovery.)	September 20, 2010
Preliminary Pretrial Conference at 11 a.m. (Thirty days before the close of all discovery.)	June 22, 2010
Preliminary Pretrial Conference Statements (Due 10 days before the conference.)	June 11, 2010

The parties stipulate to the modification of the Scheduling Order because they have scheduled an early mediation for September 23, 2009, with The Honorable Peter G. Stone (Ret.) of JAMS. This mediation may resolve some or all of the disputes herein, thereby eliminating the need for the parties to use judicial resources and incur substantial and potentially unnecessary costs related to discovery.

The parties have exchanged initial disclosures and it is apparent from the number of witnesses, who are located throughout the United States, India, Switzerland, Germany, and other countries, as well as the complexity of the issues related to source code and other intellectual property that form the basis for Plaintiffs' claims, that the parties will not have sufficient time to complete discovery by March 22, 2010, the date currently scheduled for discovery to close.

Further, although the parties have agreed to work together to facilitate discovery, it is foreseeable that coordinating the schedules of the attorneys, clients, and other percipient witnesses for depositions both here and abroad will add to the reasonable time the parties will need to complete discovery. Service of process on non-party witnesses located abroad through the Hague Convention, letters rogatory, or other methods for procuring documents and testimony abroad, will also add to the amount of time required to complete discovery.

Finally, under the current Scheduling Order, the parties would have to engage in substantial and costly discovery prior to the September 23, 2009 mediation which, if postponed until after the mediation, will serve as an additional incentive for the parties to resolve some or all of their disputes at the mediation. The parties have been working together to secure an early

mediation date. The date of September 23, 2009, was the first date that was available for the mediator, counsel, client representatives, and their insurers.

The parties have previously stipulated regarding filing and responding to Plaintiffs' First Amended Complaint ("FAC"), which was filed August 4, 2009 (Docket No. 61). Defendants T-Systems and Nagarro filed answers to the FAC on August 10, 2009 (Docket No. 62) and August 24, 2009 (Docket No. 63).

The proposed stipulated Scheduling Order tracks the current Scheduling Order by extending all dates by approximately four months. This will provide the parties a reasonable opportunity to resolve some or all of the disputes through mediation, and if necessary, complete discovery relating to any remaining issues by July 22, 2010. The parties expect to be ready for trial in the Fall of 2010. There is currently no trial date set.

IT IS SO STIPULATED:

Dated: August 27, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Michael J. Ioannou
MICHAEL J. IOANNOU
Attorneys for Defendant
NAGARRO, INC.

Dated: August 27, 2009

DHILLON & SMITH LLP

By: /s/ Harmeet K. Dhillon
HARMEET K. DHILLON
Attorneys for Plaintiffs
SIGMA SIX TECHNOLOGIES, INC. and
SIGMA SIX CONSULTING LLC

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Jose

1 Dated: August 27, 2009

BROOKS, WILKINS, SHARKEY & TURCO

2
3
4 By: /s/ Michael R. Turco
MICHAEL R. TURCO
5 (Admitted *Pro Hac Vice*)
Attorneys for Defendant
6 T-SYSTEMS ENTERPRISE SERVICES
GmbH
7

8 I, Michael J. Ioannou, am the ECF user whose identification and password are being used
9 to file this stipulation. In compliance with General Order 45.X.B, I hereby attest that the other
10 signatories have concurred in this filing.

11 Dated: August 27, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

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14 By: /s/ Michael J. Ioannou
MICHAEL J. IOANNOU
15 Attorneys for Defendant
NAGARRO, INC.
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~~PROPOSED~~ ORDER

Pursuant to the above stipulation,

IT IS HEREBY ORDERED that the dates set forth in the Scheduling Order filed July 9, 2009 (Docket No. 55) are modified as follows:

Close of All Discovery	May 24, 2010
Last Date for Hearing Dispositive Motions (<i>Sixty days after the close of all discovery.</i>)	July 12, 2010 at 9 a.m.
Preliminary Pretrial Conference at 11 a.m. (<i>Thirty days before the close of all discovery.</i>)	April 26, 2010
Preliminary Pretrial Conference Statements (<i>Due 10 days before the conference.</i>)	April 16, 2010

Dated: September 1, 2009


JAMES WARE
United States District Judge